



MINUTES
LANDMARKS PRESERVATION COMMISSION
IN THE
TOWN COUNCIL CHAMBERS
2ND FLOOR, TOWN HALL
360 S. COUNTY ROAD, PALM BEACH

WEDNESDAY, MARCH 18, 2015, 09:30 a.m.

Please be advised that in keeping with a recent directive from the Town Council, the minutes of all Town Boards and Commissions will be "abbreviated" in style. Persons interested in listening to the meeting, after the fact, may access the audio of that item via the Town's website at www.townofpalmbeach.com or may obtain an audio recording (CD) of the meeting by contacting Cynthia M. Delp, Secretary to the Landmarks Preservation Commission at (561) 227-6408. As a point of reference, you will find the recording times listed on these minutes at the beginning of each item.

I. CALL TO ORDER: (09:30:00 AM)

Mr. Page, Director of Planning, Zoning and Building, called the meeting to order. He explained that the Town Council, last week, appointed a new regular member to the Landmarks Preservation Commission by promoting Mr. Strawbridge to regular member status. That necessitated the appointment of a new alternate member, Ms. Drake, to complete the unexpired term of Mr. Strawbridge.

II. ROLL CALL: (09:33:01 AM)

Nikita Zukov, Vice Chairman	PRESENT
Jacqueline Albarran, Member	PRESENT
Edward Austin Cooney, Member	PRESENT
John T. Gannon, Member	PRESENT
Page Lee Hufty, Member	PRESENT
Rachel Lorentzen, Member	PRESENT
William J. Strawbridge, Jr., Member	PRESENT
Richard Rene Silvin, Alternate Member	PRESENT
Carol N. Wyett, Alternate Member	PRESENT
Jacqueline Weld Drake, Alternate Member	ABSENT (unexcused)

Staff Members Present: John S. Page, Director of Planning, Zoning and Building, John Lindgren, Planning Administrator, Emily Stillings, Staff Historic Preservation Consultant, and Cynthia Delp, Secretary to the Landmarks Preservation Commission. Town Attorney, John C. Randolph, did not attend this meeting.

III. PLEDGE OF ALLEGIANCE: (09:33:27 AM)

- IV. **ADMINISTRATION OF OATH OF OFFICE TO NEW MEMBERS:(09:33:46 AM)**
As Ms. Drake was absent today, the Oath of Office will be administered to her next month.

- V. **ELECTION OF OFFICERS:(09:33:57 AM)**

For the election of Chairman:

Mrs. Albarran nominated Mr. Cooney as Chairman.

Mr. Strawbridge seconded that nomination.

Ms. Hufty nominated Mr. Gannon as Chairman.

Mrs. Lorentzen seconded that nomination.

MOTION BY MR. STRAWBRIDGE TO CLOSE THE NOMINATIONS.

MOTION SECONDED BY MR. COONEY.

MOTION CARRIED UNANIMOUSLY.

Paper ballots were distributed to the seven regular members, and were collected and tabulated by staff.
Mr. Page announced that Mr. Cooney was elected Chairman by a vote of 4-3.

For the election of Vice Chairman:

Ms. Hufty nominated Mr. Gannon as Vice Chairman.

Mrs. Lorentzen seconded that nomination.

There were no other nominations for Vice Chairman.

MOTION BY MRS. ALBARRAN TO CLOSE THE NOMINATIONS FOR VICE CHAIRMAN.

MOTION SECONDED BY MS. HUFTY.

MOTION CARRIED UNANIMOUSLY.

Mr. Gannon was elected as Vice Chairman.

- VI. **APPROVAL OF THE MINUTES OF THE FEBRUARY 18, 2015 MEETING:(09:41:16 AM)**
MOTION BY MRS. LORENTZEN FOR APPROVAL OF THE MINUTES.
MOTION SECONDED BY MS. HUFTY.
MOTION CARRIED UNANIMOUSLY.

- VII. **APPROVAL OF THE AGENDA: (09:41:54 AM)**
MOTION BY MRS. ALBARRAN FOR APPROVAL OF THE AGENDA.
MOTION SECONDED BY MS. HUFTY.
MOTION CARRIED UNANIMOUSLY.

- VIII. **ADMINISTRATION OF THE OATH TO PERSONS WHO WISH TO TESTIFY: (09:41:57 AM)**
Mrs. Delp administered the oath to all those who wished to testify today.

IX. COMMENTS FROM THE PUBLIC AND COMMISSION MEMBERS: (Please limit comments to 3 minutes): (09:42:12 AM)

Ms. Hufty expressed her concern about LPC approved projects which do not proceed pursuant to that approval, and even though this had been reported to the Town, there was no repercussion or penalty. Mr. Page responded that each situation may have unique circumstances, but Building Department staff does its best to see that any LPC approved plans are checked against the plans submitted for building permit. Further cross checks occur in the field during the inspection process, and at the end of the job prior to C.O. or Certificate of Completion.

Specifically, Ms. Hufty called out the situation at 330 Island Road, particularly the wall and sculpture. She stated that she had forwarded photos of the situation to staff. Mr. Lindgren responded that the sculpture is being handled as a Code Enforcement issue and the architect is going to update the LPC relative to the wall. Ms. Hufty noted that the wall is already built. Mr. Lindgren was unaware that the wall was already built, but noted that there is nothing to preclude the LPC from forcing the applicant to abide by the approved plans, even if that requires removal of that which has been constructed.

X. PUBLIC HEARINGS: (09:47:23 AM)

A. Application for Certificate of Appropriateness #004 - 2015

Landscape/Hardscape

Owner: Town of Palm Beach

Applicant: Regent Park Group, represented by Attorney Ronald K. Kolins

Address: Regent Park Road Median

Architect: Nievera Williams Design

Project Description: Request approval for landscape/hardscape which is further described as: Driveway width expansion; proposed decorative curb; modification of landscaped oval median; lighting and plaque enhancements to existing entry columns; and, other associated changes as presented

Call for disclosure of ex parte communication: Disclosures by several members

ATTORNEY PRESENT: Ronald K. Kolins for Regent Park Group

ARCHITECTURAL PRESENTATION BY: David Gengler, William Eubanks Design

LANDSCAPE PRESENTATION BY: Matt Jackman, Nievera Williams

Mr. Kolins opened the project stating that he represents all of the owners of the five homes in Regents Park. He explained that Regents Park was recently placed "under consideration" for landmarking. Today's proposal does not involve any changes to any of the homes of Regents Park, but instead concerns the existing large oval median in the road. This median has become problematic as it is difficult for large vehicles or trucks to negotiate the median without running over the landscaping. Mr. Kolins noted that he has met twice with Paul Brazil, Director of Public Works, who fully supports the project.

David Gengler, architect of record, discussed the proposed changes to the existing entry columns: add lanterns and bronze plaque to the front of each column; and add quoins on the sides to help to bring the massing down.

Mr. Lindgren stated that it was his understanding that the columns were to remain as they exist. The addition of the quoins above a height of 8 feet would require a variance. Staff had previously asked the applicant to move the lights down so they also would be positioned under 8 ft. in height.

Mr. Kolins objected to forcing the applicant to seek a variance for something so de minimis as the addition of quoins on an existing column. He asked for approval of the project as presented, noting that he will work out the variance issues with staff. The LPC was reluctant to approve a project knowing that a variance is required. Discussion continued back and forth as to how to resolve this matter. With no resolution, the presentation continued with the landscape/hardscape by Mr. Jackman. Design elements include: Modify the existing median by reducing its size; re-asphalt the roadway; decorative Belgian block curb; Bougainvillea trees, Green Island Ficus, and new sod; and, path lights along the perimeter and well lights at the columns and underneath the Bougainvillea.

Mr. Cooney expressed the LPC's appreciation to the property owners, two of whom were in the audience, for working together to improve their neighborhood.

**MOTION BY MR. ZUKOV FOR APPROVAL OF THE PROJECT AS PRESENTED,
EXCEPT THE QUOINS WHICH ARE DEFERRED TO NEXT MONTH.
MOTION SECONDED BY MR. GANNON.
MOTION CARRIED UNANIMOUSLY.**

Mr. Page confirmed that Paul Brazil, Director of Public Works, is in support of this project.

B. Application for Certificate of Appropriateness #006 - 2015

Landscape/Hardscape and Minor architectural changes

Owner/Applicant: The Palmeiral Revocable Trust, Maura Ziska as Trustee

Address: 801 S. County Road

Architect: Michael J. Johnson Architect

Project Description: Request approval for landscape/hardscape and minor architectural changes at garage structure which are further described as: Architecture-As built garage changes as presented; Landscape-As built landscape changes as presented; and, other associated changes as presented. *Please be advised that this is a tax abatement project.*

Call for disclosure of ex parte communication: No disclosures

ARCHITECTURAL PRESENTATION BY: Michael J. Johnson, Architect, and Daniel Menard,
La Berge and Menard, Design Architect

LANDSCAPE PRESENTATION BY: Don Skowron

Michael Johnson briefly introduced the project and turned the presentation over to Daniel Menard. Mr. Menard presented the project in accordance with the submitted plans and as described above for changes which are already in place at the garage area. Changes include: Removal of dentils at the upper portion of the garage to encourage simplicity and use stucco fascia instead; change the height of the service gate to 4 ft. rather than the previously approved 6 ft. height; and, change previously approved garage doors, which were to be clad in pecky cypress, to painted textured metal doors to match the trim color of the house and tone down the effect of the garage doors in response to neighbor complaints.

Commission Comments: We were promised wood garage doors; they could be clad; again, we are being asked to approve something that is already in place; small doors for golf cart should be clad also; discussion relative to straps vs. no straps; never noticed that the doors are metal; what about the dummy light fixtures between the doors...they should come back to the LPC when they are selected; if we are going to defer it, perhaps we can go by and look at the garage doors; grillwork in place is acceptable, but is different than that which was approved.

Mr. Skowron continued with a review of the numerous landscape/hardscape changes which have occurred during the construction process due to the client requests, due to availability of plant material, and due to environmental issues which reveal themselves during construction. He showed photos of the finished project, including the changes, which resulted in a simple, monastic landscape design.

Commission Comments: Packing these sites with landscaping is an issue...the changes made here are magnificent; the old houses were landscaped very simply; problem with removing the two Magnolias on each side of the pool house; it's beautiful, but you're coming here after the fact...what is our role?

Mr. Lindgren responded that this application included too many changes for him to staff approve, thus, this application for Certificate of Appropriateness was filed. He noted, however, that the applicant made the changes at their own risk, and as such, the LPC can require that the changes in place be modified.

Commission Comments (continued): This is the second project we are reviewing "as built"...this is unfair to the LPC; it's a question of balance...we have the ability to say remove it if the result is poor or in cases of egregious behavior; perhaps consider another process in the Building Department to allow some flexibility; and, Mr. Lindgren consults with staff and the Chairman to move projects along whenever possible.

MOTION BY MRS. ALBARRAN THAT THE LANDSCAPING BE APPROVED AS BUILT.

MOTION SECONDED BY MR. GANNON.

Chairman Cooney noted that Mr. Silvin will vote since Ms. Hufty stepped out.

MOTION CARRIED 6-1, WITH MR. ZUKOV OPPOSED.

MOTION BY MRS. ALBARRAN THAT THE ARCHITECTURE BE APPROVED AS PRESENTED, EXCEPT TO DEFER, FOR INDIVIDUAL SITE VISITS, TO LOOK AT THE GARAGE DOORS, INCLUDING THE SMALLER ONE.

MOTION SECONDED BY MRS. LORENTZEN.

MOTION CARRIED 6-1, WITH MR. ZUKOV OPPOSED.

Let the record show that there was a short recess at 11:03 a.m.

330 Island Road Comments

Eugene Pandula, architect for the 330 Island Road project, asked to be permitted to speak relative to the earlier comments regarding 330 Island Road. It had been stated that a Code Enforcement violation had been ignored, and there was illegal demolition and construction of a wall. Mr. Pandula reported that he had filed an Application for Certificate of Appropriateness for these

items and they will be heard next month. He explained further that two lawn sculptures had been installed by landscapers, which resulted in the Code Enforcement issue. One of the sculptures has been removed, and the other, in the rear yard, will be reviewed next month by the LPC. With regard to the site wall, the plan note indicated that it was unknown how much of the original site wall would have to be removed, and that it would be replaced in kind. Upon further investigation, the wall was found to be an unreinforced masonry wall with no footings. As such, it had to be removed. The engineers prohibited the wall being replaced in the same way as it was a life safety issue and it did not meet current code. Life safety issues are non-discretionary. The wall has now been re-built in the same location, but the wall and piers are wider. This will be handled formally next month. Mr. Pandula recommended that it would be a good idea to hold some sort of workshop to set a strategy or clearer guidelines as to how to address these smaller scale items which occur during construction.

C. Application for Certificate of Appropriateness #007 - 2015

Restoration/Reconstruction/Demolition/Color Change/Landscape and Hardscape

Owner/Applicant: Robert F. Agostinelli

Address: 196 Banyan Road

Architect: Michael J. Johnson Architect

Project Description: Request approval for restoration, reconstruction, interior/exterior demolition, exterior color change, and landscape/hardscape which is further described as: The house was built in 1929 by John Volk. The plan is to restore and rehabilitate the house with a few changes. The non-original shutters are to be removed; house is to be painted white; and, roof tile to be replaced with similar tile. On the SW side, a door opening is to be enlarged and the doors at the west basement level are to be reconfigured. A new window from the bar will be added and a window from the living room facing the courtyard will be added. Landscape and hardscape will be enhanced. Other associated changes as presented. ***Please be advised that this is a tax abatement project.***

Call for disclosure of ex parte communication: Disclosures by several members

ARCHITECTURAL PRESENTATION BY: Michael Johnson, Architect, and Daniel Menard, La Berge & Menard Inc., Design Architect

LANDSCAPE PRESENTATION BY: Matt Jackman, Nievera Williams Design

Michael Johnson briefly introduced the project and turned the presentation over to Mr. Menard. Mr. Menard presented the project in accordance with the submitted plans and as described in detail above. In addition to the above: Remove play structure; re-organize service doors; clean and restore the interior and exterior; remove gold accents on the ceiling; at the living room, increase the size of the door 18" taller and 1 ft. wider for better views of the garden and for more light into the living room; for more light, add a window into the living room which matches an existing dining room window; copy carved stone detail and place over the living room door; assorted fenestration changes; clean up the turret and re-do the ceiling in pecky cypress; reconfigure the kitchen wing; remove part of wall at stair to allow light; new elevator which requires pushing a wall out a bit; and, other interior restoration/preservation as described.

Matt Jackman continued with the landscape/hardscape pursuant to the submitted plans. Design elements include: Resurface Banyan Road driveway with tabby concrete with a cast stone border; decorative motor court in a combination of the two hardscape materials; remove the playground in favor of sod in that area; resurface the driveway that enters into the garage with tabby concrete

with a cast stone border; remove some sod to create additional parking space; relocate gate; all existing landscape material remains and/or will be relocated; two new Seagrapes to create archway at entrance; add generator screened by walls; increase terrace area around pool; and, no railing is proposed on steps down to pool terrace.

Let the record show that Mr. Menard showed a video of the project.

Commission Comments: Concern with all of the muntins in the French doors at the bar...they should be single lite panes of glass; like the windows that you added; concern about the larger square pair of French doors in the main living room...height is OK, but not the width; applaud you for bringing light into the rooms; applaud owner for preserving older bathroom(s); concern about the safety of the driveway on South County; do something with the flat roof at the north end...suggest hipped roof; check original drawings for original railings if the client will agree to change them; prefer solid wall as opposed to removing part of wall at stair; and, anything we can do to bring more light in is good.

MOTION BY MRS. ALBARRAN FOR APPROVAL AS PRESENTED, WITH THE PROVISIO THAT THE WALL STAYS AS IT IS SO THAT WE DON'T SEE THAT STAIRCASE; THAT THE DOORS, THE PAIR OF FRENCH DOORS IN THE MAIN LIVING ROOM CAN BE RAISED, BUT NOT WIDENED; AND THE SMALL FRENCH DOOR ADDED IN THE BAR AREA IS A SINGLE LITE ALL THE WAY DOWN TO THE SAME AMOUNT OF INCHES AT THE BOTTOM RAIL.

MOTION SECONDED BY MRS. LORENTZEN.

MOTION CARRIED 6-1, WITH MS. HUFTY OPPOSED.

XI. DESIGNATION HEARINGS: None(11:55:47 AM)

XII. OTHER BUSINESS: None (11:55:49 AM)

XIII. COMMENTS OF THE LANDMARKS PRESERVATION COMMISSION AND PLANNING ZONING & BUILDING DEPARTMENT DIRECTOR: (11:55:51 AM)

Ms. Hufty commented further about 330 Island Road. She invited LPC members to look at the wall as built, and look at the wall that it was to replicate at 340 Island Road. She commented that the wall is completely out of scale with the house.

Mr. Gannon commented about the role of the LPC when confronted with reviewing changes which are already in place. He thought that the LPC's role is to preserve the aesthetics of the town, but the LPC still retains the ability to require that unapproved changes be removed. He suggested that some procedures to make people more accountable might be explored to give more teeth to the LPC. Mr. Page responded that he will speak with PZ&B supervisory staff to brainstorm this issue. Mrs. Lorentzen asked staff to find a way to approve miniscule approvals that may become necessary during construction at a site. Mr. Lindgren responded that the process is already in place in the form of staff approvals, with consultation with the Chairman as needed.

Mr. Page reminded that the next meeting will be held on Thursday, April 16th at 9:30 a.m. On this date, Code Enforcement will meet at 2:00 p.m. in the Town Council Chambers. As such, the LPC meeting must conclude on April 16th by 1:00 p.m. In the event that the LPC's business is not complete by 1:00 p.m., Mr. Page reserved the Town Council Chambers for Friday, April 17th.

Mr. Page reminded that the Town Council has designated additional funds for the purpose of landmark designations. In the month of May, additional properties will likely be placed "under consideration" for landmark designation. Emily Stillings distributed a list of the remaining 34 properties from the list of 90 potentially eligible properties (prepared by Dr. Jane Day), and she suggested that LPC members look for other properties which may be worthy of landmark designation. She requested that members forward any additional addresses to her prior to the May LPC meeting to allow for some preliminary research.

XIV. ADJOURNMENT:

Chairman Cooney adjourned the meeting at 12:18 p.m. without a motion.

The next meeting of the Landmarks Preservation Commission will be held on THURSDAY, APRIL 16, 2015 at 9:30 a.m. in the Town Council Chambers, 2nd Floor, Town Hall, 360 S. County Road, Palm Beach.

Respectfully submitted,



Edward Austin Cooney, Chairman
LANDMARKS PRESERVATION COMMISSION

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